

**HELEN F. DALTON & ASSOCIATES, P.C.  
ATTORNEYS AT LAW**

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November 10, 2022

**Via ECF:**

The Honorable Lois Bloom, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: **Najera et al v. SR Mango House Inc. et al**  
Civil Docket No.: 22-cv-01051 (RPK)(LB)

Dear Judge Bloom:

We represent Plaintiffs Andres Najera, Mario Avila, and Elpidio Munguia, individually and on behalf of all others similarly situated (“Plaintiffs”) in this FLSA matter, and we respectfully submit this joint status report letter pursuant to Your Honor’s November 7, 2022 Order. *See* Dkt. No. 27.

**Relevant Background**

Plaintiffs filed their Summons and Amended Complaint on September 28, 2022, against SR Mango House Inc., and Shoaibur Rahman, Anthony Singh, and Savita Singh, as individuals. *See* Dkt. No. 24.

Anthony Singh was served on October 21, 2022 (*see* Dkt. No. 27), and Savita Singh was personally served on October 21, 2022, as well (*see* Dkt. No. 27-1). As such, these defendants have until November 11, 2022 to appear. Thus far, neither of these Defendants have appeared on this matter, and to date, no attorney on their behalf has contacted our office regarding this matter or their representation of these Defendants.

Original Defendants, SR Mango House Inc., and Shoaibur Rahman, through their counsel, interposed an Answer to Plaintiffs’ Amended Complaint, earlier today, on November 8, 2022, with three cross-claims being asserted as against co-defendants Anthony Singh and Savita Singh. *See* Dkt. No. 28.

Yesterday, the undersigned contacted Defendants Anthony Singh and Savita Singh, at their regular place of business, during normal business hours, to ascertain whether or not Anthony Singh and Savita Singh intend to appear, or retain counsel, or otherwise defend in this matter. I spoke directly with Savita Singh, who apprised that she and her “husband Anthony are still discussing this matter, and are still in the process of deciding whether [they] want to hire an attorney.” I asked Savita Singh for an estimated timeframe as to how much additional time Savita Singh and Anthony Singh would require to do so, but received no response from Savita Singh. She then hung up the phone to terminate the call.

On August 15, 2022, we apprised the Court, *inter alia*, that the parties had already “exchanged relevant information and documentation as required by paragraph 1 of the Court’s 06/06/2022 FLSA Order, and that the parties have met and conferred pursuant to paragraph 3 of the above Order. However, based on the information and documentation exchanged, and the parties’ subsequent conversations regarding settlement, [it] is necessary to amend the Complaint herein to add additional Defendants [Anthony Singh and Savita Singh] before mediation in this matter would be productive.” *See* Dkt. No. 20.

As the Singh Defendants’ Answer or response to the Complaint is not yet due, we have not taken any action, including requesting certificates of default. Our hope is that they intend to appear in this action and avoid the need for Plaintiffs to pursue a default judgment against them. However, at this time, the Singh Defendants’ intentions are unclear.

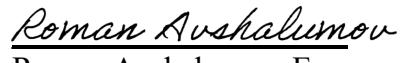
Plaintiffs and Defendants SR Mango House Inc. and Shoaibur Rahman are prepared to go to mediation if the Singh Defendants are also prepared to appear in this matter and participate in mediation. Plaintiffs remain open to mediation with some or all of the Defendants in this matter.

In the event that the Singh Defendants ultimately fail to appear, then counsel for SR Mango House Inc. and Shoaibur Rahman may seek to commence a third-party action also seeking a default judgment against the Singh Defendants.

At this time, we would propose filing a further status on or before November 18, 2022, one week after the Singh Defendants’ response to the Complaint is due. If the Singh Defendants have appeared and indicate interest in mediation, the parties will work to select a mediator and schedule mediation and can advise the Court accordingly. If the Singh Defendants have not appeared at the time, Plaintiffs can request dates from the Court for default judgment motion practice and can advise the Court as to how we intend to proceed as to the remaining defendants.

We thank The Court for its kind consideration on this matter, and we remain available to provide any additional information.

Respectfully submitted,

  
Roman Avshalumov, Esq.

**CC: via ECF and electronic mailing:**

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**CC: via UPS Overnight Courtier To:**

**Anthony Singh & Savita Singh**

**177-56 Meadow Road # 2  
Jamaica, New York 11434**

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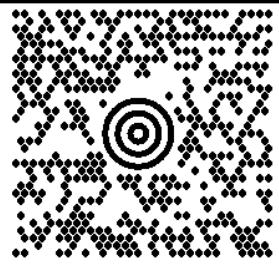
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**SHIP TO:**

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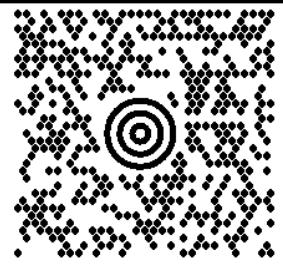
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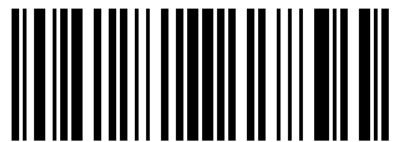
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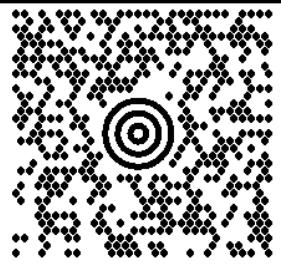
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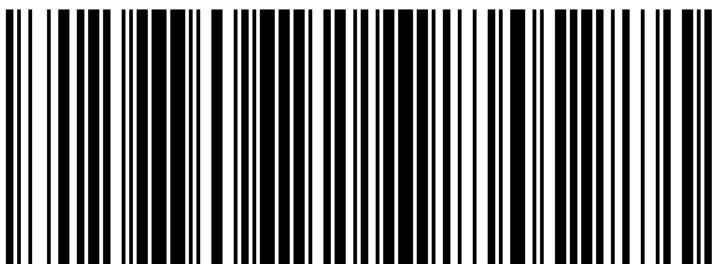
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